

TREATISE ON SHRINE CLUBS

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INTRODUCTION

Shrine Clubs, properly operated, are a most valuable asset to Shrinedom of North America. Improperly operated they can be a source of trouble to the Temples in whose jurisdiction they are located and an embarrassment to all of the Nobility. In recent years the number of Shrine Clubs has increased. By reason of Shrine Club activities interest in the Shrine has increased. Shrine Clubs have made very important contributions to the work of our Crippled Childrens Hospitals as well as to the fraternal and other phases of the Shrine.

It has been noted, however, that there is a lack of knowledge among some Shrine Club officers and members and also among some Temple officers as to the scope within which Shrine Clubs may operate and the manner by which they may carry on their programs. In order that more information may be available this has been prepared.

THE SHRINE OF NORTH AMERICA

The Shrine of North America is an incorporated body, organized under the laws of Iowa. The name under which it is incorporated is The Imperial Council of the Ancient Arabic Order of the Nobles of the Mystic Shrine, referred to generally by Shriners as the Imperial Council. Its head is the Imperial Potentate. Its officers are the Imperial Divan, and they, with the immediate Past Imperial Potentate constitute its Board of Directors. The members are the Imperial Representatives, including Emeriti and Ad Vitam members and members at large, and members of the Jurisprudence and Laws and Finance and Accounts Committees.

The Shriners Hospitals for Crippled Children is a separate corporation holding its charter from the State of Colorado. It has no direct supervisory powers over Shrine Clubs except with respect to fund raising activities for the benefit of the hospitals, so further comment on the organization of the Colorado corporation is not here required.

Each Shriner is a member of a Shrine Temple. The Imperial Council is the common agent and the supreme authority in all matters appertaining to the government of Temples and of Shriners in their relationships to the order and their Temples.

THE LAW OF THE SHRINE

The Shrine, as well as its members, is, of course, bound by federal, state and municipal laws. In addition to these laws there is another body of laws governing the management and control of the organization, the relationships of Temples to the Imperial Council, the control of Shrine Clubs and other organizations of Shriners, and the duties of Shriners with respect to the Shrine and its members.

These laws are to be found in the Charter, By-Laws and Code of the Imperial Council, in the decisions of Imperial Potentates, the rulings of the Jurisprudence and Laws Committee of the Imperial Council, in the By-Laws of the several Temples and in the By-Laws of Shrine Clubs and other organizations.

In these pages will be set forth some of the Shrine law, particularly as it applies to Shrine Clubs and other organizations of Shriners.

Code Provisions

The provisions of the Shrine Code, as amended in 1950, are as follows:

No organization of Shriners of any kind, meeting as such, using any of the emblems of the Order or having a title or titles indicating it to be an organization of Shriners, shall be organized in the jurisdiction of any Temple, except with the official sanction and under control of the Potentate of the Temple in whose jurisdiction it is organized, and all Nobles, whether belonging to said Temple or not, shall be amenable to the by-laws and regulations of said Temple; also, no such organization shall adopt by-laws without their first having been assented to by the Potentate of said Temple, and no such club or organization shall be permitted to incorporate under the laws of any of the several States, Countries, or any sub-division thereof. Any such organizations so incorporating shall be subject to disciplinary action of the Potentate under whose jurisdiction the organization is functioning and shall be subject to such further disciplinary measures as the Imperial Council shall deem meet and proper. Any such Shrine Club or organization, however, may organize, separately from the fraternal club or organization itself, a non-profit corporation, for the sole purpose of holding title to property owned by said club or organization. The Trustees or other managing officers of said corporation shall be members in good standing of said club or other organization, and by accepting office in such corporation shall thereby become subject to the by-laws of the Temple in whose jurisdiction said corporation is organized, and to the orders of the Potentate of said Temple as to the conduct of said corporation. The Potentate may forthwith remove from office in said corporation any such trustee or other managing officer for disobedience of said orders or for any violation of Temple by-laws, with respect to the conduct of the affairs of said corporation. If any such organization is proposed to be formed in territory over which two or more Temples have concurrent jurisdiction, it must have a consent, as provided for above, of the Potentates of the two nearest Temples to its proposed location, and shall be under the control of the Potentate of the nearest of these two Temples, provided, however, that no independent association of Shriners formed for the purpose of providing relief or benefit funds for the widows or families of deceased members shall be under the control of the Potentate or Temples in whose jurisdiction it is organized or elsewhere; provided, further, that if a change is made in jurisdictional lines of any Temple, jurisdiction over any such existing organization shall be in the Temple under whose authority the organization was created, unless otherwise agreed by the Temples involved.

Code, Sec. 224

Rulings and Decisions

Shrine Clubs are under the control of the Potentate of the Temple in whose jurisdiction it is organized.

Code, Sec. 224

In determining which of two Potentates shall have the control of a Shrine Club organized within territory constituting concurrent jurisdiction of two or more Temples, distance shall be measured by rail rather than by highway in determining which of the two Potentates' Temples is the nearer, and hence has control under Section 224.

*Proceedings 1931, p. 65

*Citations to "Proceedings" refer to the Reports of the annual sessions of the Imperial Council.

A joint Shrine Club under the control of two Potentates is prohibited.

Proceedings 1939, p. 48

In the absence of an agreement, a Shrine Club existing in territory over which two Temples have concurrent jurisdiction, the Potentate of the Temple nearest the location of the Shrine Club has control over it, even though the Club existed before the nearest Temple was formed. (But see the ruling next following.)

Proceedings 1941, p.25

When a new Temple is formed having concurrent jurisdiction over territory in which a Shrine Club exists, the Club remains under the control of the Potentate of the original Temple. This ruling is in apparent conflict with and supersedes the ruling next above, the Code being amended so as to specifically provide this. See end of Section 224 of Code.

Proceedings 1949, p. 36

Shriners may form an organization without permission of the Potentate of a Temple and without being subject to his control, provided they do not meet as a Shrine Club, use any of the emblems of the order or have a title indicating it to be an organization of Shriners.

Proceedings 1949, p. 35

Shrine Clubs should not use Arabic or Egyptian names, as such names are reserved for the designation of Temples.

Proceedings 1948, p. 28

The use of "Caravan Club" as the name of an organization composed of both Shriners and non-Shriners should be prohibited

Proceedings 1939, pp. 45-46

Shrine Clubs should refrain from including advertisements of intoxicating beverages in publications and programs.

Proceedings 1948, p. 27

A Shrine Club has the right to petition the Temple on any pertinent subject.

Proceedings 1941, p. 26

It is improper for Shrine Clubs to indorse candidates for offices in a Temple or take any other action affecting the entire membership of the Temple.

Proceedings 1948, P. 28

Prior to the Code amendment of 1950, incorporation of a Shrine Club for any purpose was prohibited.

Proceedings 1932, pp. 44-45

The incorporation of a Shrine Club was prohibited because an incorporated club would be subject to state laws and not under the exclusive control of the Potentate.

Proceedings 1948, p. 30

- Although the Potentate may not have had (prior to the 1950 Code amendment) any power over an incorporated club, he has power to control the members of the Temple and may require that they get out of the club or out of the Temple.

Proceedings 1939, pp. 45-46

The dissolution of an incorporated Shrine Club, which was succeeded by an unincorporated club created as provided in the Code, shifts to the Temple the liability for the obligations of the corporation.

Proceedings 1949, p. 36

It is improper for a Temple to pay a Shrine Club any funds for the procurement of novices.

Proceedings 1949, pp. 39-40

Organizations within Shrine Temples must not use the words "Shriners Hospitals for Crippled Children" for promotional purposes without first submitting to the Chairman of the Board of Trustees, Shriners Hospitals for Crippled Children, their plan.

General Orders No. 1,

Series of 1950 - 1951

Shrine Temples, organizations within Shrine Temples, or individual members thereof, desiring to promote entertainment or other projects, the proceeds of which, or a portion thereof, are to be donated to Shriners Hospitals for Crippled Children or some particular Unit of Shriners Hospitals for Crippled Children, are directed to first submit their proposition to Galloway Calhoun, Chairman, Shriners Hospitals for Crippled Children, Citizens National Bank Building, Tyler, Texas, or his successor in office, for approval.

Shrine Temples, or organized bodies within Shrine Temples, holding circuses or other entertainment to which the public is invited, where the notice or advertisement states that the proceeds, or a portion thereof, will be turned over to Shriners Hospitals for Crippled Children, or some particular Unit of Shriners Hospitals for Crippled Children, are admonished to properly account for such funds and pay them over to Shriners Hospitals for Crippled Children or the Governing Board of the particular hospital designated as the beneficiary of the funds.

The unauthorized use by any Temple or individual member thereof of the name "Shriners Hospitals for Crippled Children" or any part of that title or any other title using the words "Crippled Children" in the notice or advertisement or ticket that would confuse the purchaser or subscriber in soliciting funds, is strictly prohibited.

The work of Shriners Hospitals for Crippled Children has been called the world's greatest philanthropy. It is our charity. It was pioneered, designed and created by Shriners. Every Shriner can be justly proud of its record of achievement. Let us one and all direct our combined efforts within the framework of our Code to the end that this great charity may attain even greater success.

General Orders No. 2

Series of 1950-1951

COMMENT

From the foregoing it is apparent that the Potentate of the Temple, acting under the Imperial law and By-Laws of his Temple, is the supreme authority over Shrine Clubs within his

jurisdiction. He is responsible to the Temple and to the Imperial Council for the operation of the Shrine Clubs and the conduct of Shrine Club members. No club should be organized except with the approval of the Potentate nor should a club operate except pursuant to By-Laws which the Potentate of the Temple has approved. Property should not be purchased or leased without the sanction of the Potentate. Obligations should not be incurred, except for routine expenses, without the Potentate's consent.

In Shrine Club houses or Club rooms and in Shrine Club meetings both the law of the land and the laws of the Masonic bodies of the jurisdiction, as well as all Shrine laws, should be strictly observed in spirit as within the letter. No vulgarity or obscenity should be tolerated.

The incorporation of Shrine Clubs is prohibited except for the sole purpose of holding title to real estate and then only upon compliance with the provisions of the Imperial Code. No corporation should be organized without the prior approval of the charter or articles of incorporation and by-laws by the Potentate, who should then forward them to the Imperial Recorder for approval by the Imperial Potentate and legal department. It is desirable that, if permitted by the state law, a charter provision be made for disposition of the property of the corporation in the event it is dissolved or becomes inactive, and it is suggested that the Shriners Hospitals for Crippled Children would be an appropriate beneficiary to designate.

The Code provision which permits a Shrine Club to form a corporation for the limited purpose of holding title to property does not exclude the acquisition of property in some other manner. In some states ownership by trustees may be more satisfactory. An opinion of counsel should be obtained as to the most desirable method to follow and the Potentate's approval must be received before any steps are taken. It should be also borne in mind that if the Temple or its Potentate chooses to appoint trustees, then those so appointed are the trustees and agents acting for the Temple and hence the Temple is liable for the payment of any mortgages, bonds or other indebtedness incurred in connection with the ownership of the real estate. On the other hand, the Temple is not liable where a separate corporation is formed and it should be as easy to control the corporation as it is the trustees by a provision that its directors and officers shall be the officers of the Temple or members of it, subject to the absolute control of the Potentate.

A Shrine Club can best succeed only when close and harmonious relationships prevail between the Club and the Temple and its Potentate. This can be achieved when there are frequent reports from the Club as to its activities and its problems which might well be a requirement in the Clubs' by-laws. In some Temples the Potentates appoint as a Director of its Shrine Clubs an attorney or a Past Potentate familiar with their operations and the pertinent Shrine law.

CONCLUSION

This commentary could not be closed with more appropriate words than the following which appear in General Orders No. 1, Series of 1950- 1951.

"A Shriner's duty and obligation begins with his journey over the hot sands and never ceases until the Black Camel silently leads him to that unseen Temple. The safety and prosperity of the country lean heavily upon the high ideals, courage and ability of the more than 700,000 of the finest citizens of North America. We must guard diligently against those unthinking ones, who, in the past, have by their actions caused the finger of shame to be pointed towards the Shrine. The fez, like the white lambskin apron, is sacred and while we enjoy wholesome fun we must never forget our ideals and fundamental teachings."